

Applicants' invention is directed to being able to receive and print indicia in a location remote from a postal security device, such as in the home or small office. In that regard, as recited in the claims, a customer station can communicate with a remote station to receive an indicia for printing. Moore is directed to printing indicia and tracking the mailpiece. The host computer at the customer site receives allotments of indicia which can be printed and then tracked. The customer site includes the PSD. Moore is not concerned with the problem solved by Applicants' invention. Gerszberg is directed to requesting more information on advertisements seen on TV. It is not concerned with generating postal indicia or receiving postal indicia in a home or business. Gerszberg is not concerned with making it easier to obtain postal indicia. The problem solved by Applicants' invention is quite different from what is disclosed by either Moore or Gerszberg. Thus, Moore and Gerszberg cannot be combined as suggested to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Also the combination of Moore and Gerszberg cannot be used to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a) because there is no motivation to combine the references as proposed by the Examiner. As stated in M.P.E.P. §2173, the motivation or suggestion to combine the references must be found in the references themselves. Neither Moore nor Gerszberg disclose or suggest such a combination. The mere fact that the references can be combined is not sufficient to establish "motivation" as required under M.P.E.P. §2173 for a *prima facie* case of obviousness under 35 U.S.C. §103(a).

It is respectfully submitted that the Examiner is improperly using "hindsight" knowledge of Applicants invention as the basis to combine the references. Therefore, the proposed combination is improper and does not establish a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Furthermore, even if combinable, Moore in view of Gerszberg does not disclose or suggest each feature of Applicants' invention. Applicants' invention according to claims 1-4 recites that the host comprises at least one postal security device. This is not disclosed or suggested by Moore. Rather, in Moore, each host computer 14 cooperates with the control computer 12 through a postal security device. As shown in Fig. 1a of Moore, each host customer 14 has an associated PSD. This is unlike Applicants' invention because each customer station does not have its own respective PSD.

Moore also does not disclose or suggest means responsive to information provided by the customer at the remote control at one of said customer station for sending to the host a first message requesting a postal indicium as claimed by Applicants. Rather in Moore the "control computer 12 contacts the host computer 14 and enables a specific number of imprints or, alternately, to distribute a specific amount of postal fee." (Col. 11, lines 45-48, see also Col. 12, lines 55-56) There is no provision or disclosure in Moore of a customer using a remote control to enter information and request indicia from the host as is claimed by Applicants. In Moore, the host computer 14 stores the selected, customer specific information. Thus, Moore does not disclose Applicants' invention.

Furthermore; in Applicants' invention the cryptographic means are located in the postal security device which is located at the host. In Moore, a postal security device is located at each customer station, not at the host as in Applicants' invention. Gerszberg does not disclose or suggest cryptographic means. Thus, Moore in view of Gerszberg cannot disclose or suggest Applicants' invention.

Applicants' invention according to claims 1-4 also recites accounting means within the host. This is not disclosed or suggested by Moore. In Moore, once the host expends its allotment of imprints, the whole system shuts down. (Col. 14, lines 30-31) In Applicants' invention, the accounting means in the host stores information indicative of postage value printed at each customer station. In Applicants' invention, printing continues for each request. There is no need for an "allotment".

In Moore, unlike in Applicants' invention, the control computer 12 communicates with the host computer 14 to provide the host computer with an allotment of imprints. Once the host expends its allotment of imprints, the whole system shuts down. The host must then call the central computer and be re-enabled through the acquisition of an additional allotment of imprints. (Col. 14, lines 22-34). In Applicants' invention on the other hand, the system further comprises means responsive to information provided by the customer at the remote control at one of the customer stations for sending to the host a first message requesting a postal indicium and identifying the customer station associated therewith, means responsive to the first message for presenting to the postal security device a request for the postal indicium; means responsive to the

generation by the postal security device of a second message indicative of the postal indicium for transmitting information indicative of the postal indicium to the set-top box; and means responsive to the information indicative of the postal indicium for causing the printer to print the postal indicium on a label. Applicants' invention does not deal with an "allotment" of imprints as does Moore. Rather, an indicia is generated for each request. This enables the PSD to be located in the host and not at each customer site.

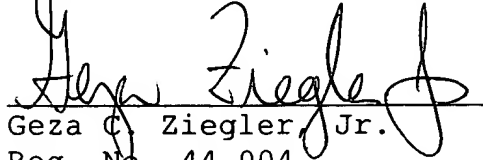
There is nothing in Moore that discloses or suggests these features of Applicants invention.

Claims 3 and 4 are also not disclosed or suggested by Moore in view of Gerszberg under 35 U.S.C. §103(a). Claims 3 and 4 recite means responsive to the generation by the postal security device of a second message indicative of the postal indicium for transmitting information indicative of the postal indicium to a fax machine. Moore only allows an allotment of imprints to be uploaded to the host computer 14 from the vendor or USPS 12. This is not the same as what is claimed by Applicants. Therefore, claims 3 and 4 are allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$168.00 is enclosed for the additional claims fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza C. Ziegler, Jr.

Reg. No. 44,004

Perman & Green, LLP

425 Post Road

Fairfield, CT 06824

(203) 259-1800

Customer No.: 2512

10/7/02
Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231.

Date: 10/7/02

Signature: Carolina Loziquez
Person Making Deposit